



Texas Department of Public Safety
Regulatory Services Division
www.dps.texas.gov

**DPS INTERNAL USE
FILE NUMBER:**

Registration Certificate No.:	Inspection Date:	Start time:	End time:
Business Name:	Email:		
Business Address:	Type of Inspection: Initial Inspection		
Location (Address of Inspection):	Facility Type: All inclusive		
Business contact name:	Phone:		

Definitions

Act	Texas Health and Safety Code, Chapter 487.
Application	Includes an original application for a registration or license, or an application to renew a registration or license, issued under the Act.
Department	The Texas Department of Public Safety.
Director	An individual, including any owner, involved in decisions governing the operation or daily functions of the licensed dispensing organization, and any owner, partner, or shareholder of the business.
Dispensing organization	An organization licensed to perform the regulated functions of cultivation, processing, and dispensing of low-THC cannabis.
Employee	An individual engaged by or contracting with a licensee to assist with any regulated function, whether or not compensated by salary or wage.
Licensee	An organization licensed under the Act.
Manager	An individual employed or otherwise engaged by a dispensing organization to supervise others in any portion of the regulated functions and processes.
Prescription	An entry in the compassionate-use registry that meets the requirements of Texas Occupations Code, Chapter 169.
Product	Any form of low-THC cannabis that is cultivated, handled, transported, processed, or dispensed, or raw materials used in or by-products created by the production or cultivation of low-THC cannabis.
Registrant	An individual registered with the department as a director, manager, or employee of a licensee; this term does not include a physician registered as a prescriber of low-THC cannabis.
Regulated premises	The physical areas under the control of a licensee, in which low-THC cannabis, or production related raw materials or by-products are cultivated, handled, transported, processed, or dispensed.
SOAH	State Office of Administrative Hearings.

Registration #:	Location:	Facility Type:	Page 2 of 20
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C = Compliant NC = Non – Compliant N/A = Not Applicable NE = Not Evaluated

Item	Rules section	Comments	C	NC	NA	NE
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§12.2. Requirements and Standards.						
1.	(a) A licensee (Licensees) may only perform regulated functions at a department approved location. Any change in location must be approved by the department prior to operation in a regulated capacity.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	(c) All licensees shall display in a conspicuous location a copy of the department issued license and information on how to submit a complaint to the department.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	(d) Licensees must establish and implement a drug-free workplace policy consistent with the Texas Workforce Commission's "Drug-Free Workplace Policy," and shall maintain in each registrant's file a copy of the company's policy signed or otherwise acknowledged by the registrant.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	(f) Licensees and registrants may not cultivate, process, or dispense low-THC cannabis, or possess any raw material used in or by-product created by the production or cultivation of low THC cannabis if the respective license or registration has expired, or has been suspended or revoked.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	(g) Licensees and registrants may not dispense to an individual other than a patient for whom low THC cannabis is prescribed under Chapter 169, Occupations Code, or the patient's legal guardian.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	(h) Licensees and registrants may not permit or fail to prevent the diversion of any controlled substance.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.	(i) Those registered with the department as directors, managers, or employees of a licensed dispensing organization may only perform functions regulated under the Act for the licensee(s) with whom they are registered.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.	(k) Registrants must carry on their person or otherwise display their department issued registration card while performing any services regulated under the Act.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.	(l) All advertisements for functions regulated under the Act must contain the dispensing organization's license number in a font of the same size as the primary text of the advertisement.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.	(n) Licensees must use applicable best practices to limit contamination of the product. The licensee shall maintain quality history records showing any laboratory testing results conducted on the licensee's products.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 3 of 20
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11.	(o) Licensees must have a plan for establishing a recall of their products in the event a product is shown by testing or other means to be, or potentially to be, defective or have a reasonable probability that their use or exposure to will cause adverse health consequences.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12.	(p) Licensees shall retain the registration card of all terminated registrants for one year after termination, unless the card is seized or destroyed by department personnel.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	(v) Research or development beyond that which is necessary for the cultivation or production of low-THC cannabis is prohibited.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	(w) Only low-THC cannabis may be dispensed or sold. By products must be destroyed.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15.	(x) Registrants must be at least twenty-one (21) years of age.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.4. Records.						
16.	(a) Records required under the Act or this chapter must be maintained and made available for inspection or copying for a period of two (2) years. Records may be maintained in digital form so long as a hard copy may be produced upon request of department personnel.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17.	(b) In addition to any records otherwise required to be maintained under the Act or this chapter, licensees must specifically retain:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18.	(1) Copies of all application materials submitted to the department or relied on in making any representation or affirmation in conjunction with the application process;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19.	(2) Purchase, sale, and inventory records;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20.	(3) Shipping invoices, log books, records of duty status if applicable, delivery records and manifests reflecting the recipient's acknowledgment and establishing the chain of custody, relating to the transportation of:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21.	(A) Low-THC cannabis and any cannabis sativa plants intended for use in the processing of low-THC cannabis;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 4 of 20
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22.	(B) Raw materials used in or by-products created by the production or cultivation of low-THC cannabis; or		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23.	(C) Drug paraphernalia used in the production, cultivation or delivery of low-THC cannabis.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24.	(D) Waste material resulting from cultivation, processing, dispensing of low THC Cannabis.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25.	(4) Security records, including building access and visitor logs, and video recordings, and transportation trip plans;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26.	(5) The licensee's drug-free workplace policy;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27.	(6) Records on all registered directors, managers, and employees, including a color photograph of the individual, a copy of the registration issued by the department, records reflecting the individual's position, assigned duties, and work schedule, and a copy of the company's drug-free workplace policy signed by the individual. These records must be maintained for two years from the date employment is terminated.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28.	(7) Records of any disposal or destruction of waste materials resulting from cultivating, <u>processing, or dispensing low-THC cannabis</u> ;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29.	(8) Records of any local or state regulatory inspections, including state or local fire marshal inspections; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30.	(9) Records of all tests conducted in compliance with §12.7 of this title (relating to Testing, Production, and Packaging).		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.7. Testing, Production, and Packaging.						
31.	(a) Licensees must comply with all applicable provisions of the Texas Agriculture Code and the Texas Department of Agriculture's administrative rules Title 4, Part 1. (Proof of Compliance from TDA)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32.	(d) All facilities must be inspected and approved for their use by a local fire code official, or by the state fire marshal or local designee of the state fire marshal, and must meet any required fire, safety, and building code requirements. (Proof of Compliance from Fire Marshall)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 5 of 20
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33.	(e) Licensees must provide certification by a Texas licensed professional engineer that the extraction system to be used to produce low-THC cannabis products was commercially manufactured; safe for its intended use, and built to codes of recognized and generally accepted good engineering practices. (Proof of Compliance from Texas Licensed Engineer)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34.	(f) The extraction process must be continuously staffed during operations by a registered employee trained in the extraction process, the transfer of LP-gas where applicable, and all emergency procedures. All staff training records shall be maintained on-site and made available upon request by the department or local law enforcement or regulatory official.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35.	(i) Signs shall be posted at the entrance to each production area using or storing carbon dioxide, indicating the hazard. Signs shall be durable and permanent in nature and not less than 7 inches wide by 10 inches tall. Signs shall bear the "skull and crossbones" emblem with the warning "DANGER! POTENTIAL OXYGEN DEFICIENT ATMOSPHERE". NFPA 704 signage shall be provided at the building main entry and the rooms where the carbon dioxide is used and stored. The main entrance to the facility and any door to a room where storage, transfer or use of hazardous materials is conducted shall be appropriately posted with markings in accordance with NFP A 704, Standard System for the Identification of the Hazards of Materials for Emergency Response.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36.	(n) All regulated premises shall be located at least 1000 feet from any private or public school or day care center that existed prior to the date of initial license application, measured from the closest points on the respective property lines.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
37.	(o) All final packaging for patient consumption must be in child-resistant packaging designed or constructed to be significantly difficult for children under five years of age to open and not difficult for normal adults to use properly.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
38.	(p) All final packaging labels must include:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
39.	(1) Physician's name;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40.	(2) Patient's name;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 6 of 20
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41.	(3) Dispensing organization's name, state license number, telephone number, and mailing address;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
42.	(4) Dosage prescribed and means of administration;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
43.	(5) Date the dispensing organization packaged the contents;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
44.	(6) Batch number, sequential serial number, and bar code when used, to identify the batch associated with manufacturing and processing;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
45.	(7) Potency of the low-THC cannabis contained in the package, including the levels of tetrahydrocannabinol and cannabidiol;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
46.	(8) Statement that the product has been tested for contaminants with specific indications of all findings, and the date of testing in accordance with Code of Federal Regulations, Title 16, Part 1107; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
47.	(9) Statement that the product is for medical use only and is intended for the exclusive use of the patient to whom it is prescribed. This statement should be in bold print.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.8. Inventory Control System.						
48.	(a) A licensed dispensing organization shall use a perpetual inventory control system that identifies and tracks the licensee's stock of low-THC cannabis from the time it is propagated from seed or cutting to the time it is delivered to either another licensee or a qualifying patient or legal guardian.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
49.	(b) The inventory control system shall be capable of tracking low-THC cannabis from a qualified patient back to the source of the low-THC cannabis in the event of a serious adverse event.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50.	(c) The inventory control system shall be designed to promptly identify a discrepancy and interact with the department's centralized registry system.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
51.	(d) Upon receipt of raw material for cultivation, a licensee shall record in the inventory control system:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
52.	(1) The date delivered; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
53.	(2) The number of clones or seeds delivered or the weight of the seeds for each variety in the shipment.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 7 of 20
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54.	(e) For each plant, including any clippings to be used for propagation, a licensee shall:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55.	(1) Create a unique identifier;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
56.	(2) Assign a batch number;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
57.	(3) Enter appropriate plant identifying information into the inventory control system;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
58.	(4) Create an indelible and tamper resistant tag made of temperature and moisture resistance material, with a unique identifier and batch number;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
59.	(5) Securely attach the tag to a container in which a plant is grown until a plant is large enough to securely hold a tag;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
60.	(f) Upon curing or drying of each batch, a licensee shall weigh low-THC cannabis to update inventory control for the batch.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
61.	(g) At least monthly, a licensee shall conduct a physical inventory of the stock and compare the physical inventory of stock with inventory control system data.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
62.	(h) If a licensee discerns a discrepancy between the inventory of stock and inventory control system data outside of normal weight loss due to moisture loss and handling, a licensee shall commence an audit of the discrepancy.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
63.	(i) Within fifteen (15) business days of discovering a discrepancy, the licensee shall:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
64.	(1) Complete an audit;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
65.	(2) Amend the licensee's standard operating procedures, if necessary; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
66.	(3) Send an audit report to the department.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
67.	(j) If a licensee finds evidence of theft or diversion, the licensee shall immediately report the theft or diversion to the department.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.9. Sanitation; Waste Disposal.						
68.	(a) Licensees must maintain regulated premises in a clean and sanitary condition, and shall take all reasonable measures to ensure:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 8 of 20
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69.	(1)Litter and waste are routinely removed and waste disposal systems are routinely inspected in accordance with applicable local, state, or federal law, rule, regulation or ordinance;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
70.	(2) Fixtures, floors, walls, ceilings, buildings or other facilities are kept in good repair;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
71.	(3) Regulated premises are adequately screened and otherwise protected against the entry of pests;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
72.	(4) Refuse disposal is conducted in a manner to minimize the development of odor and the potential for breeding of pests;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
73.	(5) Contact surfaces, including utensils and equipment used for the cultivation, drying, trimming, or storage of product, are cleaned and sanitized in a manner to protect against contamination;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
74.	(6) Potentially toxic chemicals used within the cultivation facility are identified, stored, and disposed of in a manner to protect against contamination of the product, in compliance with all applicable local, state, or federal laws, rules, regulations or ordinances;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
75.	(7) Storage and transportation of product is under conditions that protect against physical, chemical, and microbial contamination;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
76.	(8) Safes, vaults, and storage rooms are in good working order, with climate control systems sufficient to prevent spoilage;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
77.	(9) Processing site is free of contamination and suitable for the safe and sanitary preparation of the product, including ensuring all equipment, counters and surfaces used for processing are food-grade and nonreactive with any solvent being used, with easily cleanable surface areas constructed in a manner to reduce the potential for development of mold or fungus;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
78.	(10) Hand-washing facilities provide effective hand-cleaning and sanitizing materials, with sanitary towel service or hand drying devices, and hot and cold running water;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
79.	(11) All persons working in direct contact with product conform to hygienic practices while on duty, including but not limited to:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
80.	(A) Maintaining adequate personal cleanliness, including washing hands thoroughly before handling product and as often as necessary to remove soil and contamination and to prevent cross-contamination		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 9 of 20
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	when changing tasks;					
81.	(B) Refraining from direct contact with product if the person has or may have an illness, open lesion, including boils, sores, or infected wounds, or any other abnormal source of microbial contamination, until such condition is corrected;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
82.	(C) Keeping fingernails trimmed and filed so that the edges and surfaces are cleanable;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
83.	(D) Unless wearing intact gloves in good repair, having no fingernail polish or artificial fingernails on the employee's fingernails;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
84.	(E) Wearing clean clothing appropriate to assigned tasks or protective apparel such as coats, aprons, gowns, or gloves to prevent contamination; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
85.	(F) Reporting to the employer's director or manager any health condition experienced by the employee that may adversely affect the safety or quality of product with which the employee may come into contact;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
86.	(12) Prohibiting any employee with a health condition that may adversely affect the safety or quality of the product from having direct contact with any product or equipment or materials for processing low-THC cannabis, or from performing any task that reasonably might contaminate or adversely affect any product.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
87.	(b) Destruction and disposal of waste materials resulting from the cultivation or processing of low-THC cannabis must be conducted in compliance with applicable state and local laws and regulations, and Code of Federal Regulations, Title 21, Part 1317, Subpart C. Any waste materials containing low-THC cannabis or raw materials used in or by-products created by the production or cultivation of low-THC cannabis must be rendered irretrievable, as defined in Code of Federal Regulations, Title 21, Part 1300. Waste water generated during production and processing must be disposed of in compliance with applicable state and local laws.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 10 of 20
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88.	(c) Licensees are responsible for determining whether specific waste materials or waste water constitute hazardous waste under applicable federal or state regulations and for ensuring disposal of any such waste complies with applicable disposal regulations.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
89.	(d) All waste materials must be stored on the licensee's premises prior to destruction and disposal.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.11. Application for License.						
90.	(b) A complete application must include the items detailed in this subsection, in a manner determined by the department:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
91.	(1) Proof of ownership and current status in the manner required by the department, including but not limited to a current Certificate of Existence or Certificate of Authority from the Texas Office of the Secretary of State and a Certificate of Good Standing from the Texas Comptroller of Public Accounts;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
92.	(2) All fees required under §12.14 of this title (relating to Application Fees and Method of Payment);		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
93.	(3) Names, dates of birth, addresses, and all other information required by the department necessary to verify the identity of all directors, managers, and employees of the applicant;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
94.	(4) Criminal history disclosure of all convictions and deferred adjudications for each individual listed on the application as directors, managers, and employees of the dispensing organization;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
95.	(5) Complete registration applications for all directors, managers and employees submitted in the manner approved by the department and in compliance with §12.12 of this title (relating to Application for Registration);		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
96.	(6) Proof of commercial general liability insurance coverage against claims of liability for damage to property of third parties and for personal injuries to third parties, including bodily injury, property damage, and product liability, with limits of:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
97.	(A) \$1,000,000 each occurrence;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
98.	(B) \$2,000,000 General Aggregate limit; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 11 of 20
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99.	(C) \$1,000,000 Product Liability.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
100.	(7) Evidence of the qualifications detailed in this paragraph as determined at the time of the required onsite inspection, in the manner determined by the department.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
101.	(A) The technical and technological ability to cultivate, process, and/or dispense low-THC cannabis, evidenced by experience in the areas of:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
102.	(i) Cultivation, analytical organic chemistry and micro-biology; and analytical laboratory methods; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
103.	(ii) Patient education and interaction, and the handling of confidential information including familiarity with the requirements of the Health Insurance Portability and Accountability Act (HIPAA).		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
104.	(B) The ability to secure the premises, resources, and employees (personnel) necessary to operate as a dispensing organization, evidenced by:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
105.	(i) Descriptions of all properties applicant proposes to utilize to cultivate, process, and dispense low-THC cannabis, including ownership information for the properties;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
106.	(ii) Descriptions of the methods proposed for the cultivation, processing, and dispensing of low-THC cannabis;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
107.	(iii) Descriptions of the types and locations of worker safety equipment and plans and procedures for complying with federal Occupational Safety and Health Administration (OSHA) regulations for workplace safety;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
108.	(iv) A list of current and proposed staff, including, position, duties and responsibilities, and an organizational chart illustrating the supervisory structure of the dispensing organization;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
109.	(v) Description of the applicant's proposed testing laboratory, and description of the proposed (cannabis) testing protocols and methods; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
110.	(vi) A proposal establishing the ability to secure premises reasonably located to allow patient access through existing		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 12 of 20
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Item	Rules section	Comments	C	NC	NA	NE
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	infrastructure, and					
111.	(vii) Identification of the proposed source(s) for seeds or plants to be used in the cultivation of low-THC cannabis and of the manufacturers of all equipment to be used in the processing of low-THC cannabis.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
112.	(C) The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances, evidenced by:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
113.	(i) Floor plan of each facility or proposed floor plans for proposed facilities, including:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
114.	(I) Locking options for all means of ingress and egress;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
115.	(II) Alarm systems;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
116.	(III) Video surveillance;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
117.	(IV) Name, layout and function of each room; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
118.	(V) Storage, including safes and vaults.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
119.	(ii) Diversion prevention procedures;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
120.	(iii) Emergency management plan;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
121.	(iv) System for tracking low-THC source plant material throughout cultivation, processing, and dispensing;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
122.	(v) Inventory control system for low-THC cannabis as required by §12.8 of this title (relating to Inventory Control System);		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
123.	(vi) Policies and procedures for recordkeeping;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
124.	(vii) Electronic vehicle tracking systems;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 13 of 20
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Item	Rules section	Comments	C	NC	NA	NE
125.	(viii) Vehicle security systems;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
126.	(ix) Methods of screening and monitoring employees;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
127.	(x) Employee (Personnel) qualifications and experience with chain of custody or other tracking mechanisms;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
128.	(xi) Waste disposal plan;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
129.	(xii) Recall procedures for any product that has a reasonable probability of causing adverse health consequences based on a testing result, patient reaction, or other reason; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
130.	(xiii) Access to specialized resources or expertise regarding data collection, security, and tracking.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
131.	(D) Infrastructure reasonably located to dispense low-THC cannabis to registered patients, evidenced by:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
132.	(i) Map showing the location of the applicant's proposed dispensing facilities with streets; property lines; buildings; parking areas; outdoor areas, if applicable; fences; security features; fire hydrants, if applicable; and access to water and sanitation systems;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
133.	(ii) Floor plan of the actual or proposed building or buildings where dispensing activities will occur showing areas designed to protect patient privacy and areas designed for retail sales, with proposed hours of operation;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
134.	(iii) HIPAA compliant computer network utilized by all facilities;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
135.	(iv) Identifying descriptions of any vehicles to be used to transport product; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
136.	(v) Description of all communication systems.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
137.	(E) The financial ability to maintain operations for two (2) years from the date of application, evidenced by:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
138.	(i) Applicant's business organization, and corporate structure if applicable;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 14 of 20
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Item	Rules section	Comments	C	NC	NA	NE
139.	(ii) List of all owners of any non-corporate (the) applicant, or all including any shareholders owning 10% or more of a corporate applicant;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
140.	(iii) All individuals and entities with control over the applicant;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
141.	(iv) Projected two (2) year budget; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
142.	(v) Description of available assets sufficient to support the dispensing organization activities.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.21. Inspections.						
143.	(a) Submission of an application for a license as a dispensing organization constitutes permission for entry by the department to the regulated premises of the dispensing organization at any time during regular business hours.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
144.	(b) While conducting an inspection or engaging in activity reasonably related to the inspection, the department may be assisted by a peace officer, [or] a representative of the State Fire Marshal's Office or another [an] appropriate state or local regulatory agency.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
145.	(c) Within thirty (30) calendar days of the date of receipt of the written notice of violation, the dispensing organization shall provide the department with notification of all corrective actions taken and the dates of the corrections.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
146.	(d) Onsite inspections may include but are not limited to review of:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
147.	(1) All requirements provided in §12.11(b) of this title (relating to Application for License);		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
148.	(2) Security equipment and protocols as provided in Subchapter D §§12.31 and 12.32 of this title (relating to Security of Facilities and Security of Vehicles, respectively);		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
149.	(3) Records as provided in §12.4 of this title (relating to Records).		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150.	(e) Failure to cooperate with an inspection by department or other authorized personnel may result in suspension or revocation of the individual's registration and the license of the dispensing organization.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 15 of 20
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Item	Rules section	Comments	C	NC	NA	NE
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§12.31. Security of Facilities.						
151.	(a) A licensee or applicant for licensure must maintain effective controls and procedures in order to prevent unauthorized access, theft, or diversion of the low-THC cannabis and any derivative products. The standards provided in this subchapter are minimum standards only.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152.	(b) During the regular course of business activities, and except as provided by subsection (d) of this section, a licensee may not allow access to the facility's cultivation, processing, or product storage areas by unauthorized individuals or to the public. All cultivation of low-THC cannabis shall take place in an enclosed, secured building, or an enclosure within a building[, or an enclosed yard] that provides reasonably adequate protection [security] against the diversion of low-THC cannabis or raw materials used in or by-products created by the production or cultivation of low-THC cannabis; limit access to each area to the minimum number of individuals or employees necessary for the licensee's activities; and designate an individual or a limited number of individuals with responsibility for each area where a controlled item is cultivated, processed, dispensed, produced, or stored; and authority to enter or control entry into the area. Access to the enclosed, locked area is limited to a licensee, director, manager or registered employee when acting in his or her official capacity.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
153.	(c) Access to the licensee's cultivation, processing, or product storage areas [regulated premises] by authorized employees [personnel] shall at a minimum be restricted by a physical barrier with a mechanical locking device compliant with life safety requirements that must be kept closed and locked at all times when not immediately being used to enter or exit the area. These areas [The area] shall be clearly and conspicuously marked at all access points with signage indicating access is restricted to individuals registered with the Texas Department of Public Safety under Chapter 487 of the Texas Health and Safety Code, in contrasting block letters at least one inch in height.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 16 of 20
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Item	Rules section	Comments	C	NC	NA	NE
154.	(d) When unregistered individuals, whether employees [personnel] or contractors, business guests or visitors, or maintenance or other service providers not regulated under the Act, are to be present in or are to pass through regulated premises, the unregistered individuals must be continuously escorted by a registrant. Unregistered individuals must be provided a visitor's badge reflecting the individual's name and the date of issuance. All ingress and egress by unregistered individuals must be recorded in a daily log. The log must include the full name of each unregistered individual entering the regulated premises, the time of arrival, the time of departure, and the purpose of the visit. The requirements of this subsection do not apply to representatives of the department or other law enforcement agencies of this state who tour the facility as part of their official duties.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
155.	(e) Licensees must have an alarm system capable of continuously monitoring the regulated premises for fire and intrusion by means of camera recording, door switches, motion sensors, and fire and smoke detectors. The system must have the capability of immediately alerting local law enforcement of a fire at any time, of a security breach during non-business hours, and of being manually activated by staff during business hours. The camera monitoring system must be capable of recording at least 90 days of footage to an external hard drive at a minimum resolution of 720 x 350, with camera coverage of all regulated areas, including all ingress or egress areas, and the building exterior. Point of sale areas, if applicable, must have a camera placed in a manner to provide visual identification of any patient or legal guardian seeking to fill a prescription for low-THC cannabis. Exterior lighting must be sufficient to support camera monitoring. The system must comply with local city or county alarm permitting requirements. The system must be capable of continuous function upon total power loss for a minimum period of five (5) minutes.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
156.	(f) Access to the licensee's cultivation, processing, or product storage areas must be through a metal security door on a metal frame with hinges that are protected from ingress. The metal door must have secure locking capability. The door, door frame, and locking mechanism must be compliant with life safety requirements. If the door utilizes magnetic locks, the lock must work independently without exterior power. Post-cultivation low-THC cannabis		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 17 of 20
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Item	Rules section	Comments	C	NC	NA	NE
	products must be stored in a locking safe or metal locking container, in compliance with Title 21 Code of Federal Regulations, §1301.72.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
157.	(g) The licensee’s cultivation, processing, production, or raw material storage areas should have no windows unless the windows are shatter resistant or burglar proof, or are reinforced with metal bars or grates to prevent entry.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
158.	(h) In the event the licensee’s facility shares space, or has an adjacent building, the facility must ensure no mutual access points exist, including ceiling or roof areas which would enable unauthorized access from the adjacent structure.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
159.	(i) Final low-THC cannabis products and raw materials, including plants in any stages of growth, may not be visible from the exterior of the building during non-business hours.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
§12.32. Security of Vehicles.						
160.	(a) Any vehicle used by a dispensing organization for the transportation of low-THC cannabis must have a vehicle security system and a securely attached and locked container within the vehicle. It is the responsibility of the licensee to ensure that only authorized registered employees [personnel] have access to the locked secure container within the vehicle.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
161.	(b) Prior to transportation of any product, licensee shall complete a trip plan that includes:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
162.	(1) The name of the registrant responsible for the transportation;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
163.	(2) The date and start time of the trip;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
164.	(3) The anticipated route of transportation and destination; and		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
165.	(4) A detailed invoice or log of the specific type of product and amount to be transported.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
166.	(c) Promptly following transportation, the licensee shall enter the end time of the trip and any changes to the trip plan, including any changes to the amount of product delivered to the location.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 18 of 20
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Item	Rules section	Comments	C	NC	NA	NE
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§12.33. Response to Security Breach.

167.	(a) The licensee must immediately report any unauthorized intrusion or other security breach of the regulated premises to both the local law enforcement agency with primary response jurisdiction within twenty four (24) hours to the department.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
168.	(b) Following any security breach the licensee shall review existing security procedures for any deficiencies that may have contributed to the breach. The licensee shall remedy the deficiency and report the remedial measures to the department.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
169.	(c) The licensee must rekey or change the combinations of any locks opened in the breach, and change any passwords that may have been used in the breach.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

§12.34. Reporting of Discrepancy, Loss or Theft.

170.	(a) A licensee or registrant must report to the department not later than the second day following the date the licensee or registrant learns of:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
171.	(1) A notable inventory discrepancy;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
172.	(2) An inventory loss or theft; or		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
173.	(3) A fire on the regulated premises; or		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
174.	(4) A loss or theft during transport.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
175.	(b) The report required by subsection (a) of this section must reflect the name and registration or license number of the individual preparing the report, the date of the report, and the details listed in this subsection, as applicable:		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
176.	(1) Date of discovery;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
177.	(2) Amount of low-THC cannabis involved, including amounts transported and received;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
178.	(3) Physical location at issue;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Registration #:	Location:	Facility Type:	Page 19 of 20
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Item	Rules section	Comments	C	NC	NA	NE
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179.	(4) Date transported, name of carrier or employee involved in the transport; or		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
180.	(5) Description of any suspected criminal activity, or		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
181.	(6) Circumstances believed to have contributed to the loss, theft, or fire.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
182.	(c) A fire on the regulated premises which must be reported immediately to the State Fire Marshal's Office.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12.42 Verification of Patient Registration

183.	(a) Before dispensing any low-THC cannabis to a registered patient or the patient's legal guardian, the dispensing organization must verify the identity of the patient or guardian, verify the guardian's status, if applicable, and confirm the patient has an active registration, the order has been entered in the registry by the physician, and the order has not already been dispensed.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
184.	(b) Upon dispensing the low-THC cannabis, the dispensing organization shall immediately enter [a dispensing action] into the registry the form and quantity of low-THC cannabis dispensed, the amount charged for the low-THC cannabis dispensed, and the date and time of dispensation [immediately upon dispensing the low-THC cannabis to the registered patient or the patient's legal guardian].		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Number of Deficiencies:

Findings of Inspection:

Registration #:	Location:	Facility Type:	Page 20 of 20
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Item	Rules section	Comments	C	NC	NA	NE
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Findings of Inspection continued:

Photos Attached: Yes ☐ No ☒

Inspector

Date

Supervisor

Date